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Counsel for Defendant ESTRADA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE ESTRADA,

Defendant.

No. CR 06-0375 SI

**STIPULATED MOTION TO
EXTEND BRIEFING
SCHEDULE AND CONTINUE
MOTION HEARING;
PROPOSED ORDER**

Hearing Date: October 26, 2006 at
2:30 p.m.

The Honorable Susan Illston

The parties stipulate to the following:

1. A hearing on Defendant's Motion to Suppress is scheduled in the aforementioned case on October 26, 2006 at 2:30 p.m;
2. Defense counsel has recently received a reprieve on her trial schedule, which was slotted to begin on October 3, 2006, and respectfully requests an additional two weeks to file the Opening Motion;
3. The government has no objection to continuing the motion hearing, or to adjusting the briefing schedule to enable defense counsel to have an additional two weeks to file the Opening Motion ;
4. Mr. Estrada is currently at the Federal Detention Center in Dublin, California,

1 serving a 24 month sentence that this Court imposed on a supervised release
2 violation for an earlier case. As Mr. Estrada is currently serving a prison sentence
3 at a federal facility, he will not be prejudiced by a delay in the hearing;

- 4 5. As such, counsel jointly requests the following modified briefing schedule and
5 hearing dates before this Court:

6 **Opening Motion Due:** October 13, 2006;

7 **Response Due:** October 27, 2006

8 **Reply Due:** November 3, 2006

9 **Motion Hearing:** November 17, 2006, at 11:00 a.m. or at a time
10 convenient for the Court

11 **IT IS SO STIPULATED.**

12 _____/S/_____
13
14 ANDREW P. CAPUTO
15 Assistant United States Attorney

16 _____/S/_____
17 ELIZABETH M. FALK
18 Assistant Federal Public Defender

19 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
20 “conformed” signature (/S/) within this e-filed document.

21 **[PROPOSED] ORDER**

22 For good cause shown, the hearing and briefing schedule for the hearing on Defendant’s
23 Motion to Suppress, are hereby CONTINUED as stated in this stipulation. The hearing will be
24 held on November 17, 2006, at 11:00 a.m.

25 **IT IS SO ORDERED**

26 
27 _____
28 THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE